

REMARKS/ARGUMENTS

The Examiner rejected claims 1-16 of the present application by way of an Office Action mailed November 21, 2005. The Examiner made the Office Action final. Contemporaneously with this reply, the Applicant is filing Form PTO/SB/30 and requests continued examination under 37 C.F.R. 1.114 with respect to this application. As this reply and request are being filed within three months of the mailing date of the final action, the Applicant respectfully submits that no extension of time fees are due. In the event that the Applicant is mistaken, the Director is hereby authorize to charge any necessary fees, or credit any overpayments, to Deposit Account No. 13-2400. The enclosed Request for Continued Examination Transmittal Form authorizes deduction of the requisite RCE fee under 37 C.F.R. 1.17(e) from this same Deposit Account.

The Examiner rejects claims 1-3, 6-8, and 9-16 as being anticipated under 35 U.S.C. 102(e) by US Patent No. 6,798,748 (Hessler). Claim 4 is rejected as being obvious having regard to Hessler in view of US Patent No. 6,104,702 (Vissers). Claim 5 is rejected as being obvious having regard to Hessler in view of US Patent No. 6,577,594 (Abbas). The Applicant has carefully considered the Examiner's rejections, but respectfully traverses those rejections for the reasons that follow.

The Hessler reference describes a method designed to address multi-frame misalignment in a SONET/SDH system. Hessler is particularly concerned with shortening the realignment time periods for frames in a network system in which a tandem connection trail has been established. Hessler describes the operation of a tandem connection trail at a tandem connection sink using standardized protocols beginning at column 2, line 64. As noted by Hessler, a frame alignment signal (FAS) contained in the N1/N2 bytes of a frame. The frame alignment signal is found once in each of frames 1 to 8 of the 76 frames of a tandem connection multi-frame. Hessler goes on to describe his improvement in connection with checking multi-frame alignment. It will noted that for a given frame there will be only one FAS.

The present invention relates to the parallel processing of tandem connection monitoring information for trail terminations at a common network element. As recited in the independent claims of the present application, where a plurality of tandem

connection monitoring terminations occur at a network element, the tandem connection monitoring information associated with each of the plurality of tandem connection trails is extracted from a received frame prior to processing the tandem connection monitoring information for any of the tandem connection trails having trail terminations at the network element. By extracting the associated tandem connection monitoring information for each of the plurality of tandem connection trails having trail terminations at the network element prior to processing tandem connection monitoring information for any of the tandem connection trails having trail terminations at the network element, the present invention avoids the problem of inadvertently overwriting or corrupting tandem connection monitoring information as described in the "Background of the Invention" section of the specification as originally filed.

In the Applicant's respectful submission, the Examiner's anticipation rejections under 35 U.S.C. 102(e) are invalid since Hessler fails to disclose each and every element claimed in the independent claims of the present application. For example, Hessler fails to disclose a plurality of tandem connection trails having associated tandem connection monitoring information within a frame. The Hessler reference only discusses a single tandem connection trail and is unconcerned with tandem connection trails themselves; instead, Hessler is concerned with signal reception and frame misalignment in the context of networks of this nature.

The Examiner places heavy reliance upon the passage in Hessler beginning at column 2, line 64 to column 3, line 9. This passage describes the conventional process of checking multi-frame alignment upon which Hessler purports to improve. The passage describes the fact that the frame alignment signal (FAS) is extracted and read. There is a single frame alignment signal (FAS) in each frame. In the Office Action of November 21, 2005, the Examiner argues that the FAS may be viewed as "tandem connection monitoring information" as recited in the claims of the present application. With respect, the Applicant disagrees. Claim 1, for example, specifies that the frame includes associated tandem connection monitoring information for each of the plurality of tandem connection trails having trail terminations at the network element. As described in the specification, under existing standard and protocols a frame may have up to six TCM information fields, wherein the fields each contain TCM information relating to one of

the plurality of tandem connection trails. There is only one FAS in a given frame. Accordingly, the FAS cannot be viewed as tandem connection monitoring information, as alleged by the Examiner. The FAS relates to frame alignment; it is not "associated" with a tandem connection trail. Accordingly, Hessler cannot be viewed as teaching a step of "extracting from the frame the associated tandem connection monitoring information for each of the plurality of tandem connection trails having trail terminations at the network element" since the frame contains only one FAS field, not a plurality of fields each associated with one of the tandem connection trails. Therefore, in the Applicant's respectful submission, the Examiner's attempt to analogize Hessler's method to the method claimed in the present application ignores the claim language. As a result, the Applicant respectfully submits that Hessler fails to anticipate the independent claims of the present application and, by extension, the dependent claims of the present application. Therefore, the Applicant respectfully requests that the Examiner's rejection under 35 U.S.C. 102(e) be withdrawn.

The Vissers and Abbas references relied upon by the Examiner in rendering the obviousness rejections against claims 4 and 5 do not cure the deficiencies of the teachings in Hessler with respect to the limitations in the independent claims. Accordingly, the Applicant respectfully submits that the claims of the present application are patentably distinguishable over the Hessler reference, taken alone, or in combination with either Vissers or Abbas. Therefore, the Applicant respectfully requests that the Examiner withdraw his rejections under 35 U.S.C. 103(a).

In view of the foregoing remarks and submissions, the Applicant respectfully requests reconsideration and submits that the present application is in condition for allowance. Should the Examiner be inclined to maintain or renew his rejections on the same or similar grounds, the Applicant respectfully requests the opportunity to clarify his submissions on the teachings of the prior art and the distinguishing features claimed in the present application by way of a teleconference call. Should the Examiner have any questions in connection with the Applicant's submissions,

please contact the Applicant's agent, David Greer, at 416-868-1482.

Respectfully Submitted,
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